

U.S. Sen. Baldwin: Co-sponsors legislation to overhaul broken VA appeals process

Posted on Monday, Mar 27, 2017

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

Contact: press@baldwin.senate.gov

[\(202\) 224 - 6225](tel:(202)224-6225)

VA appeals process has not been updated since 1933, more than 450,000 appeals are currently pending

WASHINGTON, D.C. – U.S. Senator Tammy Baldwin (D-WI) joined Senators Richard Blumenthal (D-CT) and Jon Tester (D-MT) in introducing legislation to overhaul the Department of Veterans Affairs' broken appeals process. The process has not been updated since 1933, and more than 450,000 appeals are currently pending. Because of redundancies and inefficiencies in the current process, most veterans wait years for a decision on their appeals. By replacing the current process, the *Department of Veterans Affairs Appeals Modernization Act* would expedite appeals before the Board of Veterans Appeals and give veterans clear options after receiving an initial decision.

“The current VA appeals process is broken and needs to be fixed. Too many Wisconsin veterans are waiting too long – sometimes years – to hear back on their appeal,” **said Senator Baldwin**. “These reforms will overhaul the VA’s appeals process to ensure that our veterans will receive timely decisions on their appeals so they can make the best decisions for themselves and their families.”

“By overhauling VA’s broken appeals system, our comprehensive legislation will

help ensure veterans have access to the benefits they need and deserve,” **said Senator Blumenthal**. “The current appeals process leaves thousands of our nation’s veterans and their families hanging in the balance as they wait—often years—for their appeals to be considered. I won’t stop fighting until we replace this system with one that is worthy of our veterans—one that is simple, transparent, and fair.”

“Veterans are waiting far too long for final answers on their appeals,” **said Senator Tester**. “This bill was built through collaboration and gives veterans the options they need to move their appeals forward in a way that works best for them. I look forward to working with my colleagues to streamline the appeals process, protect veterans’ due process, and save taxpayers money.”

The legislation introduced today would give veterans clear options after receiving an initial decision by consolidating the current appeals process into three distinct tracks:

- **Local Higher Level Review:** This lane would provide the opportunity for a quick resolution of the claim by a higher-level adjudicator at the VA Regional Office. This lane would be a good option for veterans who are confident they have all the evidence necessary to win their claim.
- **New Evidence:** This lane would be for submitting new evidence at the VA Regional Office. This lane would serve as a good option for veterans who believe that they can succeed on their claim by providing additional evidence.
- **Board Review:** In this last lane, intermediate steps currently required by statute to receive Board review would be eliminated. Furthermore, hearing and non-hearing options at the Board would be handled on separate dockets so these distinctly different types of work can be better managed.

Senators Angus King (I-ME), Tim Kaine (D-VA), Maggie Hassan (D-NH), Bob Casey (D-PA), Chris Van Hollen (D-MD), Patty Murray (D-WA), Dick Durbin (D-IL), Dianne Feinstein (D-CA), Bernie Sanders (I-VT), Tom Udall (D-NM), Mazie Hirono (D-HI), Jeanne Shaheen (D-NH), Mark Warner (D-VA) and Sherrod Brown (D-OH) are also original cosponsors of the legislation.

“A disabled veteran deserves more than a place on a waiting list or getting tied up in a VA backlog. But, too often, Maine veterans are paying the price for bureaucratic

failures and that's not only wrong, it's unacceptable," **said Senator King**. "Veterans deserve a full, fair, and timely review of their appeals and our legislation will help accomplish that."

"I hear from veterans across Virginia whose appeals get caught in a long, complex process that is incredibly difficult to navigate," **said Senator Kaine**. "Our bill would simplify and improve the appeals process, which will help the VA address its drastic backlog and decrease wait times for veterans. These reforms are long overdue, and they'll allow the VA to better serve veterans across the country, including nearly 800,000 veterans who call Virginia home."

"The VA Appeals Modernization Act is an important step in supporting our veterans, service members, and their families, who have sacrificed bravely in defense of our freedoms," **said Senator Hassan**. "I have heard from veterans in my state who are frustrated by the current VA appeals process, which is complex and inefficient. By streamlining the process for appeals and giving veterans clear options for appeal after receiving an initial decision, the VA Appeals Modernization Act will help us ensure that our veterans can access the services that they need and deserve."

"The VA appeals backlog is unconscionable. Our veterans deserve the best possible care - and timely and fair resolutions to claims disputes so that they know that the VA is working for them," **said Senator Van Hollen**. "This bill will overhaul the appeals process to finally tackle the backlog and replace our outdated system with one that works for today's veterans."

"Far too many veterans in my home state of Washington and around the country get stuck in a frustrating, bureaucratic run-around, all because of an outdated system that fails to address their needs," **said Senator Murray**. "Our military families deserve so much better. Let's bring the appeals system into the 21st century to give veterans clearer answers, better options, and easier access to the benefits they earned in their service to our country."

"It's nonsensical that the VA appeals process has not been updated for nearly a century - leaving our veterans and their families in the lurch while they navigate an antiquated system," **said Senator Hirono**. "This legislation takes common-sense steps to clear the backlog, ensuring that service members have timely access to the full benefits they have earned."

"The convoluted appeals system that our veterans currently face says to men and

women who dutifully served their country to take a number, get in line and wait, often for years,” **said Senator Shaheen**. “Our veterans deserve an appeals process that makes sense and allows claims to be processed in a timely manner, not a complicated process of red tape. The Department of Veterans Affairs Appeals Modernization Act is a smart bill to help fix this broken system.”

“The VA has more than 450,000 veterans waiting to hear about an appeal, and the average appeal takes up to 5 years to resolve,” **said Senator Warner**. “There is wide acknowledgement that the current process for VA appeals is insufficient to adequately support our nations’ veterans, including the more than 780,000 veterans who call Virginia home. Our legislation will modernize the appeals process while maintaining a veteran’s right to full consideration.”

The Department of Veterans Affairs Appeals Modernization Act is a reintroduction of S. 3328 from last Congress, which was supported by the Disabled American Veterans, the American Legion, the Veterans of Foreign Wars, the Paralyzed Veterans of America, AMVETS, the Military Officers Association of America, the National Association of County Veterans Service Officers, and the National Association of State Directors of Veterans Affairs.

An online version of this release is available [here](#).